

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DYLAN M. BROWN,

Case No. 2:20-cv-1295

Petitioner,

Judge Sarah D. Morrison
Magistrate Judge Elizabeth Preston
Deavers

v.

WARDEN, NOBLE
CORRECTIONAL INSTITUTION,

Respondent.

ORDER

On October 5, 2020, the Magistrate Judge issued a Report and Recommendation (“R&R”) recommending that Respondent’s Motion to Dismiss (ECF No. 11) be granted and that this action be dismissed. (ECF No. 13.) Although the parties were advised of the right to file objections to the Magistrate Judge’s R&R, and of the consequences of failing to do so, no objections have been filed.

The R&R (ECF No. 13) is **ADOPTED** and **AFFIRMED**. Respondent’s Motion to Dismiss (ECF No. 11) is **GRANTED**. This action is hereby **DISMISSED**.

Petitioner has waived the right to appeal by failing to file objections. *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court therefore **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE